

Election/Restriction

The Office has restricted the present application under 35 U.S.C. § 121 and 35 U.S.C. § 372. Specifically, the Office states, "The Application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claims 1 – 10, drawn to a composition comprising a pesticide and compound of Formula I.

Group II, claims 11 – 15, drawn to a method of controlling weeds.

For examination of this Application, Applicants elect Group I, without traverse. The claims are directed to a composition comprising a pesticide and a compound of formula (I). In contrast to the instant Office Action, Applicants are of the courteous opinion that the claims of Group I should be Claims 1 – 10 and 15, as Claim 15 is directed to a composition and depends from Claim 9.

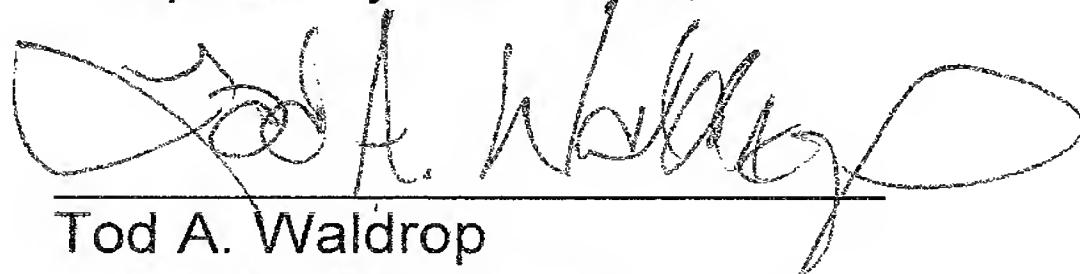
Applicants are further required to elect a single compound selected from formula (I) to which the claims shall be restricted if no generic claim is found to be allowable.

For examination of this Application, Applicants select the following compound according to formula (I) of claim 1 wherein R is a tallow fatty residue, A<sup>1</sup> to A<sup>4</sup> are each -C<sub>2</sub>H<sub>4</sub>-, r, s, t and u are each 5, the sum of r, s, t and u is 20 and x is 1.

Applicants are of the humble opinion that the elected Group I and selected species read on claims Nos. 1 – 6, 9, 10 and 15.

It is respectfully submitted that, in view of the above remarks, the restriction requirement is satisfied and the examination of this Application on the merits can now proceed. If the Examiner has any remaining questions, please contact Applicants' representative at the number listed below. Accordingly, favorable reconsideration and an allowance of all pending claims are courteously solicited.

Respectfully submitted,



Tod A. Waldrop  
Agent for Applicants  
Registration No. 56,260

**(CUSTOMER NUMBER 25,255)**

Clariant Corporation  
Industrial Property Department  
4000 Monroe Road  
Charlotte, North Carolina 28205  
Phone: (704) 331-7732  
Fax: (704) 331-7707